

RAILROADS ASSISTED

SENATE—TWENTY-NINTH DAY.

Monday was a strenuous time for Senator Brown, so strenuous that when Tuesday dawned he had quite subsided and Senator McCarthy became the orator of the day. It was a noticeable fact that in the matter of appropriations for salaries for the officials on Hawaii, or the cutting of the salaries of the heads of the departments, the Senator from the Reed's Bay district of Hawaii was on the firing line from start to finish. He worked for the increase of his constituents with an ardor that was faulty only in that it was overdone.

The suggestion of Senator Dowsett as to the amount of money for school teachers seems to meet with only half-hearted support from the other members. It seems that the \$600,000 recommended by the Senator will not more than pay the teachers under the old schedule, at least that is the view held by the opposition. He says, however, that he has carefully figured the salaries as paid and allowing for the additional teachers there will be money to spare.

The appearance of Senator Knudsen on the floor yesterday was the cause of some pleasure to the other members and his vote was the means of saving one of the vetoes by the Governor. There was a scarcity of members and when the vote was taken the Kaula Senator voted "no" to the motion to pass and the veto was sustained.

The school question was again the front and Senator Dowsett is the lead horse to the relief of the underpaid teachers. He rightly argues that it is the girls who get small salaries who should have the aid of the Senators. He is opposed to married women, with husbands able to support them, occupying places as teachers and keeping out worthy, capable girls and men who are looking for billets where they may get the money with which to maintain a family or themselves. The California law has some such provision and the amendment proposed by Senator Dowsett is taken from it. His amendment provides for the appointment and removal of teachers. "The department may, from time to time, appoint and remove such school teacher, agents, servants and officers as may be necessary for carrying out of the purposes of this chapter and regulate their duties, powers and responsibilities when not otherwise provided by law, provided, however, that no married woman entitled to support from her husband, who is capable of supporting her, shall be employed as teacher in any public school in any taxation district of the Territory having a population of more than fifteen thousand."

In speaking of this provision the Senator said his attention had been called to the cases of married women engaged as teachers in the public schools at the expense of young girls who had taken a course of training for the purpose and with the expectation of being given positions but only to be told that there are no vacancies. He cited an instance where a man and his wife are drawing three hundred dollars from the treasury every month as teachers and to other cases quite as glaring. He is of the opinion that the evil should be corrected and it seems to him that the only way to obtain the result aimed at is through enactment by the Legislature.

Relative to the salaries of teachers he states that there are very few drawing two hundred dollars a month and not more than fifteen who receive over one hundred so that his cut in the proposed appropriation will not affect so many as would appear at first thought. He contends that the amount he mentions should be sufficient for all purposes but that he is open to conviction and will not insist upon that sum being adhered to.

The railroad bill was up yesterday having been deferred from last week. There was the bunch of amendments promised and so many of them that there was danger of the bill falling from top heaviness. The idea of the members is to exempt the railways on

all islands. Senator Woods got the attention of the majority and had his suggestion adopted and the bill passed second reading.

ORDER OF THE DAY.

The order of the day comprised about everything on the calendar and it appeared to the eye of the Senators that there must be quick work in order to get through.

BILLS SIGNED.

After reading the minutes and attending to the usual routine work, the clerk read a communication from the Governor had signed the following bills:

House Bill No. 18, Act 27, relating to attachments.

House Bill No. 51, Act 28, relating to the conviction of a lesser crime when a greater crime is charged.

House Bill No. 81, Act 29, relating to the publication of copartnerships.

House Bill No. 105, Act 30, relating to amendments to Section 235 of the Revised Laws.

House Bill No. 121, Act 31, relating to the registration of copartnerships.

Senate Bill No. 32, Act 32, relating to persons having sexual intercourse with girls under fourteen years of age.

A communication from the clerk of the House announced that that body had failed to concur in the amendments of the Senate to the bill relating to private rights and water ways. The House had appointed as a conference committee Representatives Rawlins, Pali and Akau. Vice President Kalama appointed Senators Smith, Chillingworth and Hayselden.

MAUI TEACHERS AGAIN.

Senator Hayselden read a petition from the Maui Teachers' Association asking consideration to certain complaints. It was referred to the Education committee.

COMMITTEE REPORTS.

Senator Hewitt, from the Education committee reported on a petition for an addition to a schoolhouse at Ahualoa as follows:

"The petition asks for a room to be added to the schoolhouse at Ahualoa, district of Hamakua."

The Superintendent of Public Instruction informs your committee that the amount of \$1250 has been inserted in the department's estimates for this purpose. Therefore we recommend that the petition be laid on the table.

The suggestion of the committee was followed.

Senator Smith, from the Judiciary committee, reported on the question of legality of the veto of the Governor in relation to Bill No. 6 which was presented before the opening of the session on Monday, as follows:

"We find that Senate Bill No. 6, entitled 'An Act to amend Section 1793, Chapter 119 of the Revised Laws of Hawaii relating to jurors and trial by jury,' was delivered to the Governor March 13, at 10:08 a. m., and the message vetoing the bill was delivered to the secretary of the Senate on March 25 at 9:58 a. m."

"Section 51 of the Organic Act provides: 'If any bill shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature by their adjournment prevents its return, in which case it shall not be a law.'"

"In the present case two Sundays intervene between the delivery of the bill to the Governor and its return by him, therefore we find that the bill was returned within the ten days required by the statute."

Senator Dowsett gave notice of his intention to introduce a bill to amend Section 195 of the Revised Laws relating to the appointment of teachers as set forth above.

Senator Hewitt took the wind out of the sails of Senator Coelho by introducing a bill for the manufacture, maintenance and distribution of electricity on the island of Maui. Senator Coelho showed the state of his feelings by moving a suspension of the rules so that the bill passed first reading by title.

APPOINTMENTS CONFIRMED.

The Governor's message No. 10, relating to the appointments of Messrs. Howland, Sorenson and Gere as commissioners of streets and sidewalk lines was read and the nominations confirmed.

VETO SUSTAINED.

The Governor's message vetoing the bill relating to coroner's inquests, the same being returned on account of its being loosely drawn was considered and the veto sustained, Senator Smith admitting that the error crept in through his carelessness.

THIRD READING.

The following bills passed third reading:

Senate Bill No. 73, relating to the power of counties to take property for use in widening or extending alleys and streets.

Senate Bill No. 78, relating to the punishment of offenders for riding and driving automobiles and motor cars and motorcycles.

House Bill No. 64, relating to the use of typewriting machines for making records.

House Bill No. 128, relating to every stable license was amended to read "Revised Laws of Hawaii," and passed.

SECOND READING.

House Bill No. 84, relating to the payment and distribution of fines and costs collected in the district courts was referred to the special committee on counties.

House Bill 152, relating to coroners' inquests was referred to the Judiciary committee.

PRIVATE SCHOOLS.

Senator Hewitt's bill regulating the manner of establishing private schools in the Territory was called for third reading and passed.

THE RAILROAD BILL.

The bill introduced by Senator Makakau providing that railroads on the island of Hawaii built within the next two years be exempt from taxation, came up for second reading after several delays. The first move yesterday was made by Senator Woods in proposing an amendment to strike out "Island of Hawaii" wherever appearing in the bill and to change from "two" to "five" years in the matter of time limit. Senator Makakau, who wants the road on Hawaii built at the quickest possible rate, moved to make it three but was overruled. Senator Woods related instances of delay in securing material and said it would be impossible to get it around the Horn within the time

specified in the amendment proposed by Senator Makakau.

Senator Chillingworth came to the support of Woods and spoke of the failure of the Kahala-Hilo road through just such limitations.

Senator McCarthy spoke strongly in favor of the bill. He called attention to what the Oahu railway had accomplished through the aid of the Legislature in granting a subsidy. A cattle ranch had been turned into a sugar plantation and from that came other plantations until now the government is getting taxes on property that produces a hundred thousand tons of sugar a year. He would be willing to give any new railroad enterprise a subsidy for he knew the benefit it would be to the Territory.

Senator Woods' amendment giving any company five years in which to construct five miles of track carried.

Senator Woods had another amendment to the effect that no company now operating a railroad shall be entitled to exemption from taxation except as to extensions and branches hereafter made within the period set forth.

It seemed to Senator McCarthy as though this might be taken as operating against any individual who might engage in the business of building railroads but Senator Chillingworth seconded the amendment.

Senator McCarthy opposed and said it should go to an individual who would invest in a railroad as freely as to a corporation. He opposed the Dowsett amendment. Then Senator Dowsett spoke of the possibility of a company claiming exemption on property used on a line now in operation but which might also be used on a new branch in which case the company would claim the right, under one of the amendments offered, to exemption from taxes.

The Dowsett amendment was lost and Senator Smith offered one to the effect that "property hereafter acquired for the exclusive use on branches and extensions" should be exempt. Senator Woods accepted this amendment which on being put to a vote carried and the bill passed second reading.

REPORT ADOPTED.

Senate Bill No. 77, relating to the appointment of officers by counties providing that the salary of such appointees shall not be greater than that of the treasurer was reported upon adversely by the committee and recommending that it be tabled. The report was adopted.

House Bill No. 25, relating to weekly payment of wages of county employees engaged at manual labor was also reported adversely and tabled.

There was something of a clatter over the bill providing for the pay of witnesses in criminal cases. The bill originally called for a fee of a dollar and a half a day but the House cut to fifty cents and Senator Makakau opposed. He said it was not enough to pay for the meals of a witness and the support of Senator Chillingworth was given to his statement. Makakau said he would accept a compromise of a dollar a day but if that could not be reached he would oppose any motion to concur in the House amendment.

Senator Chillingworth then moved that the Senate do not concur. The motion carried and the bill was referred to a conference committee the Judiciary committee being selected by the Vice President.

House Bill No. 5, relating to the apportionment of the Hawaii county, was on motion of Senator Woods, referred to the Hawaii delegation. Senator McCarthy remarked that there is a similar bill now in the hands of the Judiciary committee. The motion to refer carried.

The following bills having passed third reading in the House were read by title in the Senate and referred to committees: Nos. 26, 41, 52, 91, 102, 103, 106, 109, 117, 125, 134, 137 and 147.

The Secretary notified the Senate that the Governor had signed House Bills 56 and 61.

At noon recess was taken to 2 p. m.

Afternoon Session.

The seats were not all occupied when order was called for the afternoon session and the Vice President, on motion of Senator Smith, held back a few minutes before taking up the veto of H. B. No. 7. In the interim Senator Lane reported that S. B. No. 79, relating to trusts, had been received from the printer and distributed. Then Senator Smith offered thirty-eight pages of amendments to the municipal bill and asked the adoption of them. The matter was referred to the Printing committee.

THE VETO.

The members still being absent from their seats consideration of H. B. No. 7 was begun and the action of the Governor was unanimously overruled.

The veto of S. B. No. 27 was then called for reconsideration on motion of Senator Hayselden. This was a bill relating to the pay of laborers working for the counties and was introduced by Senator Kalama. For some reason it did not have his support when called and the veto was sustained.

There is really a question as to the vote, however, as that of Senator Hewitt who was industriously swinging his eye glasses in his right hand was taken as a vote. When the negative was called he voted with his left hand. As the Senator is a left-handed writer the Senators, favoring the action of the Governor, are willing to take the last vote as final and as indicative of the Senator's wishes in the matter.

The veto of the bill appropriating \$500 for repairing the road in Kau destroyed by lava flow was sustained.

That of S. B. No. 6, relating to the pay of jurors was overruled and will become a law in spite of the Governor.

Senator Makakau's Trust bill was referred to the Miscellaneous committee.

Before adjournment Senator Chillingworth called attention to the continued illness of Senator Bishop and moved that a committee be appointed to wait upon him and tender the aloha of the

HOUSE IN A TANGLE

HOUSE—TWENTY-NINTH DAY.

The two measures upon which the House had expected to spend much of its time yesterday had to go over, the appropriation bill for the payment of salaries of territorial officials being still in the Senate and the bill providing for the election of road supervisors leading the House into such a maze of reports, amendments and motions that the whole thing had to be dropped to allow the members to untangle themselves.

There was a large amount of routine work done and but little debating, the main issue threshed out being the tabling report on a bill prohibiting the wanton cutting and injuring of growing trees and shrubs on public lands. Several of the Hawaiian members saw in this bill some features that would work a hardship upon poor Hawaiians and attacked it bitterly. Even the supporters of the measure, which had come down from the Senate, saw plenty of flaws in it as it stood and wanted to get at it to put it into shape. Chairman Rawlins, of the Judiciary committee, declared that the more he looked into the bill the more amendments he saw it needed, having perhaps in mind some satisfaction in sending back to the Senate one of their own bills amended to "Look like a Supreme Court decision." The opponents of the bill refused to consider it at all, however, and tabled it.

Morning Session.

The House began its work in good humor yesterday morning, the first matter before it being a communication from the Secretary of the Territory announcing the signing of a number of its bills. These were:

House Bill 18, Act 27, amending Section 1, Act 84, relating to attachments.

House Bill 51, Act 28, authorizing a verdict for a lesser offense than the one charged.

House Bill 81, Act 29, relating to the publication of statements of copartnership.

House Bill 105, Act 30, amending Section 235, of the Revised Laws, allowing commitment to the Industrial school of boys under eighteen years old.

House Bill 120, Act 31, relating to the registration of copartnerships, and Senate Bill 35, Act 32, increasing the punishment for carnal intercourse with a female under fourteen years of age.

COMMITTEE REPORTS.

The Public Lands committee recommended putting in the Loan bill items of \$10,000 to extend Queen street to School street, and \$25,000 to extend School street from Kalia street to Kamehameha IV. road.

The committee could not recommend any action to be taken on Petition 37, from the Wm. Keliini Land Settlement Association, Pepekeo, Hawaii, asking for a cutting up of the government lands at Kuliakimano. This land is under lease until 1909 to the Pepekeo Sugar Company and the government can do nothing until the expiry of the lease.

TABLE FOR SMITH'S BILL.

Senator Smith's bill authorizing hotelkeepers to hold their guest's baggage as security for unpaid bills was recommended for the table by the Health and Police committee, Cony dissenting. In explanatory Cony said that the bill was intended to protect innkeepers from dead beats as is done in the mainland.

Pali thought Hawaii had better grow up to the United States size before it passed United States laws.

The report was adopted and the bill was tabled.

Alawa's bill to provide a medical school inspector for each county was tabled, Kaleiupu's bill covering the same thing being recommended for passage. Both reports were adopted.

Moanani's bill to appropriate money to pay the claims of the Hawaii police during 1905 was recommended and the report accepted.

WHARF COMMISSION.

The Joint Resolution appointing a joint commission to examine the condition and maintenance of all the government wharves on all the islands carried for its second reading. Rawlins objected to it because it carried no provision for paying the expenses of the commissioners. He also wanted to know what members of the House were sure of being there next session to make their report.

SENATE BILLS DEFERRED.

Senate Bills 66, 67 and 22 were on the order of the day for a third reading.

The first read, number 66, dealt with the status of a public school, and number 67 provided that English shall be the language in which all public schools shall be taught. Both of these were deferred until today.

GENERAL DEBATE.

Senate Bill 22, provides for the punishment of those wantonly injuring or cutting growing trees and shrubs. Kaleiupu moved the indefinite postponement of the bill. At the present time persons are allowed to go on Konoiki land and cut wood for actual necessary use, but this would now be prohibited. Poor Hawaiians, who now get glue bushes or firewood, would suffer. No one under this law could get male ferns from the mountains to sell. Is it right to cut off the means of livelihood from these people? Now, by getting a permit from the Superintendent of Public Works, these people can get these, but this law would shut them out.

The measure should be carefully considered as it seems to protect only the rich man against the poor. The man who had introduced this bill, Senator Dowsett, owns the whole of Wai-anae and wants to protect his own interest without regard to the interest of the poor.

Rawlins said that the measure provided for persons getting male and ferns from the mountains to sell.

Senators and their hearty wishes for his speedy recovery. The chair appointed Senators Chillingworth, Dowsett, Smith, Knudsen, Hewitt and Hayselden.

Adjourned until 10 this morning.

terms the same as in the present law. He agreed with Kaleiupu that the bill was too strong in some classes. It was one of those kind of bills that the more it is looked into the more amendments seem necessary. The bill was not drafted by Dowsett, however, but by the Superintendent of Forestry, R. S. Hosmer, whom the government pays \$250 a month to look after the public forests.

As chairman of the Judiciary committee he had made some amendments, but felt now that some broader amendments ought to be made. The rights of the telephone and rapid transit companies ought to be guarded. The bill was for the protection of the forests, for it was well known that some persons made a business of stealing wood from public lands. He moved that action be deferred for a week to allow further necessary amendments.

Kaleiupu urged further objections to the law, wanting to know why the prohibitions should be extended to all forests. He could see the object of protecting places like Tantalus.

Kaniho supported Kaleiupu. He also was a champion of the poor and humble and could see no virtue in a bill which made punishable the scratching of a tree trunk. The bill was class legislation inasmuch as it would punish men for injuring trees but made no provision for punishing cattle for doing similar things. He moved that the bill be chucked off without an hour's delay.

Walwaioe made his maiden speech on this bill. He thought it wrong to leave unconsidered the interests of the large landowners, who at the present time were at the mercy of whoever wanted to injure their property in the growing forest. He would support Rawlins' motion to consider the bill again in one week.

Pali denied that rotten meat could be made good by salting it. Why was it necessary to pass more laws to protect property? The statute book was full of such laws. He wished to nip the bill in the bud and said so in most emphatic words and gestures, directed principally at Rawlins.

Rawlins' motion was lost on a close vote and the bill was indefinitely postponed.

VEToes UNDER FIRE.

The vetoing of the North Kohala hospital bill was taken up as the first of the four vetoes to be considered.

Kaniho moved to override the veto. The bill had been carefully considered in both the House and Senate and was intended for a good object, the preserving of the health of the district of North Kohala. He appealed to the House to support his motion and fulfill their duty toward the public. The government sustained hospitals elsewhere and should also support the hospital established in the bill.

Regarding the poorhouse feature of the bill, he thought that one of its best features. The rich do not have to be looked after, the poor do.

The rollcall showed the veto overridden by a vote of twenty-four to two, Rawlins and Castro supporting the Governor.

WAIT FOR THE SENATE.

Message 12, 13 and 14 being upon Senate Bills, Rice moved to again defer to await action of the Senate. This was agreed to and the vetoes will be considered today.

ROAD SUPERVISORS' ELECTIONS.

Sheldon, the father of this bill, moved that this be taken up in the afternoon by which time the minority report would be ready. This being granted, Sheldon brought in his thirty-third bill, this being one providing that:

"It shall be the duty of the Justices of the Supreme Court of the Territory to furnish, upon request, to either branch of the Legislature, and to the Governor, opinions in writing, upon important questions of law, and upon solemn occasions."

SECOND READINGS.

An act providing for public loans by the county of Maui and two relating to coroner's inquests were given a second reading and will be finally disposed of today.

Afternoon Session.

The news of the signing of two more House Bills, conveyed in a communication from the Secretary, was given the House immediately after the noon recess.

They were House Bill 56, Act 33, relating to the appointment of deputy high sheriffs by the High Sheriff, and House Bill 61, Act 34, amending Section 295, the Curfew Law.

House Bill 118 was returned from the Senate, having passed unscathed through the purifying amendment fires.

House Bill 128 had been amended slightly, too slightly to arouse any resentment and the changes were concurred in.

Senate Bills 73, 69 and 78 were presented for the consideration of the House.

THE VETO SUSTAINED.

Less pleasant was the communication from the Senate respecting the Governor's veto of House Bill 15, which the Senate had confirmed. This bill provided for the payment of coroners' jurymen and also gave coroners power to commit for contempt of court.

The Senate also disagreed with the House over an amendment to Senate Bill 46 and had named Senators Smith, Chillingworth and Hayselden to talk it over. The Speaker named Walwaioe, Kaniho and Sheldon to meet them.

The same Senate committee had been instructed to discuss House Bill 92 with a House committee, having failed to see eye to eye with the representatives respecting it.

GOMES BREAKS SILENCE.

A bill to authorize the manufacture, distribution and supply of electrical power in Wailuku and elsewhere was presented by Gomes and passed first reading.

TRUST COMPANY LICENSE.

Kalana was responsible for the introduction of a bill imposing a license fee of \$250 per annum on trust companies doing business in the Territory.

Rawlins presented a measure dealing with judgments, executions and new trials, whereby the clerk of the court will enter judgment immediately upon the rendition of a verdict and execution may issue thereon at any time unless stayed as provided by law.

A resolution was offered by Kaniho asking the House to investigate the claim of John H. Kamia, of Kipahulu, Maui, for payment for 27,000 square

feet of land at 20 cents a square foot, the land having been taken by the government and payment requested "time and time again" from the Superintendent of Public Works. The matter went to the Public Lands Commission.

APPROPRIATIONS DEFERRED.

The consideration of the bill appropriating money for the pay of Territorial officials, which was before the Senate, was postponed until Monday to give the Senate a chance at a third reading. This is the bill that Kaleiupu has been sharpening his axe for and which will probably find other members laying for it with pruning knives.

ROAD SUPERVISORS BILL.

Sheldon had his minority committee report ready when House Bill 124 came up for its third reading. This bill provides for the election of road supervisors, recommended for tabling by the Judiciary committee, and is fathered by Sheldon. The minority report made some amendments but recommended the broad features of the bill.

Rawlins added to the tabling report of his committee by quoting Section 45 of the Organic Act, and Act 93 of the Revised Laws of 1905. Under the provisions of the first law each law shall deal with but one subject, which shall be expressed in the title, but the measure under consideration deals with two subjects, the election of road supervisors and the disposition of road taxes, the latter subject being omitted from the title. This makes the measure unconstitutional. This question was one that the Speaker claimed to know something about, if he knew anything about anything. If the House and Senate passed the measure and overrode the Governor's veto it would only be a useless thing on the statute book for no court would consider it.

Kaleiupu wanted to see road supervisors elected and asked leave to present an amendment which would make good law of the bill. One of these changes was to provide for a road supervisor for each Representative District. Another amendment was to cut out all sections dealing with matter other than the election of the official, thus overcoming the objections raised by Rawlins.

Kaniho wanted to know about that part of the bill limiting the office to those able to read and write English. He was assured that that part would be attended to.

Rawlins pointed out further flaws in the clauses not eliminated by amendments, there being by this time very little of the original bill left.

Kaleiupu moved again that the report of the minority with his amendments included be passed.

The Speaker explained that the House was now in a sort of committee of the whole with the Speaker in the chair.

Hughes wanted to send the bill back to its parents to be made presentable, and the tangle was unraveled by the minority report being withdrawn and the consideration postponed.

"The House rose at half past three o'clock."

THE PERFECT WAY

Scores of Honolulu Citizens Have Learned It.

If you suffer from backache, There is only one way to cure it. The perfect way is to cure the kidneys.

A bad back means sick kidneys. Neglect it, urinary troubles follow. Doan's Kidney Pills are made for kidneys only.

Are endorsed by Honolulu people. J. D. Conn, of Honolulu, Hawaii, a carpenter, by trade, and employed at the Oahu railroad, says: "I was troubled with an aching back. The attacks occurred periodically for years, and especially if I happened to catch cold. There was also other symptoms which plainly showed that my kidneys were out of order. A short time ago I heard about Doan's Backache Kidney Pills and the wonderful things they were doing."

"Proceeding to Hollister & Co's drug store, I obtained a box. Since taking them there is a great improvement in me. I always keep them on hand now so as to be provided for any emergency. I feel sure if anyone troubled